

STATE OF KANSAS
KANSAS PHARMACY BOARD

**NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT TO
ADMINISTRATIVE REGULATION**

A public hearing will be conducted at 9:00 a.m., on the 24th day of September, 2008, at the Topeka & Shawnee County Public Library, 1515 SW 10th Avenue, Room 101B, Topeka, Kansas 66604, to consider the amendment of K.A.R. 68-11-2 of the Kansas Pharmacy Board.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed amendment of K.A.R. 68-11-2. All parties may submit written comments prior to the hearing to the Executive Secretary of the Kansas Pharmacy Board, Debra Billingsley, pharmacy@pharmacy.ks.gov or Landon State Office Building, 900 SW Jackson, Room 560, Topeka, Kansas 66612-1231. All interested parties will be given a reasonable opportunity to present their views orally on the amendment of the regulation during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the regulation and economic impact statement in an accessible format. Requests for accommodation to participate in the hearing should be made at least five working days in advance of the hearing by contacting the Kansas Pharmacy Board, Landon State Office Building, 900 SW Jackson, Room 560, Topeka, Kansas 66612-1231, (785) 296-4056. Handicapped parking is located on the west and north sides of the building, and the north entrance to the building is accessible to individuals with disabilities.

The regulation is proposed for amendment. A summary of the proposed regulation is as follows:

K.A.R. 68-11-2. Fees for premises registrations and permits. The regulation identifies various registration and permit fees. A new registration fee of \$300.00 is proposed for each place of business that sells durable medical equipment.

Copies of the regulation and the economic impact statement may be obtained from the Kansas Pharmacy Board, Landon State Office Building, 900 SW Jackson, Room 560, Topeka, Kansas 66612-1231, (785) 296-4056, or by accessing the Board's website at <http://www.accesskansas.org/pharmacy/leg.html>.

Debra Billingsley
Executive Secretary

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ECONOMIC IMPACT STATEMENT

Pursuant to K.S.A. 77-420(b), the Kansas Pharmacy Board submits the following description of the economic impact of K.A.R. 68-11-2.

1. This regulation already identifies various registration and permit fees, including the fees for each new and renewal pharmacy registration, manufacturer registration, wholesaler distributor registration, institutional drug room registration, veterinary medical teaching hospital pharmacy registration, retail dealer permit, auction permit, and sample distribution permit. A new registration fee is proposed for each place of business that sells durable medical equipment.
2. The proposed regulation is not mandated by federal laws.
3. No new costs will be borne by pharmacists, pharmacy technicians, or others.
4. The Board is not aware of any less costly or less intrusive methods to achieve the stated purpose and thus none were considered.
5. This is not a proposed environmental regulation.

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68-11-2. Fees for premises registrations and permits. (a) Pharmacy registration fees shall be as follows:

- (1) Each new pharmacy registration shall be \$140.00.
- (2) Each renewal pharmacy registration shall be \$125.00.

(b) Manufacturer registration fees shall be as follows:

- (1) Each new manufacturer registration shall be \$300.00.
- (2) Each renewal manufacturer registration shall be \$300.00.

(c) Wholesaler distributor registration fees shall be as follows:

- (1) Each new wholesaler distributor registration shall be \$300.00.
- (2) Each renewal wholesaler distributor registration shall be \$300.00.

(3) For each wholesaler who deals exclusively in nonprescription drugs, ~~there shall be a~~ the registration fee of shall be \$50.00.

(d) For each institutional drug room or veterinary medical teaching hospital pharmacy, registration fees shall be as follows:

- (1) Each new registration shall be \$25.00.
- (2) Each renewal registration shall be \$20.00.

(e) Other permit fees shall be as follows:

- (1) Each retail dealer permit shall be \$12.00.
- (2) Each auction permit shall be \$35.00.
- (3) Each sample distribution permit shall be \$30.00.

(f) For each place of business that sells durable medical equipment, the registration fee shall be \$300.00. (Authorized by and implementing K.S.A. ~~2004~~ 2007 Supp. 65-1645, as

ATTORNEY GENERAL

FEB 4 2008

APPROVED BY 

DEPT. OF ADMINISTRATION

JAN 30 2008

APPROVED BY FDL

amended by L. 2002, ch. 184, sec. 3; effective May 1, 1983; amended May 1, 1988; amended
June 6, 1994; amended Feb. 7, 2003; amended P-_____.)

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